



UNITED STATES PATENT and TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
P.O. Box 1450
ALEXANDRIA, VA 22313-1450
www.uspto.gov

GOODWIN PROCTER LLP
599 Lexington Avenue
New York, NY 10022

1 0 SEP 2007

In re Application of : DECISION ON RENEWED
Cheng et al :
PCT No.: PCT/US04/10027 :
Application No: 10/551,661 : PETITION UNDER
Int. Filing Date: 01 April 2004 :
Priority Date: 01 April 2003 :
Attorney's Docket No.: 102907-437-NP :
For: ADVANCED VERSATILE LAYOUT AND : 37 CFR 1.47(a)
RENDERING SYSTEM, METHOD AND PRODUCT :

This is in response to the "RENEWED PETITION UNDER 37 CFR 1.47(a)" filed on 16 July 2007 that seeks the acceptance of the application without the signature of the inventor Mr. Joseph Fusion.

BACKGROUND

In a decision from this Office on 14 May 2007, the petition filed on 30 January 2007 was dismissed. The decision stated that items (2) and (4) were not met.

On 16 July 2007, petitioner filed the present renewed petition, inter alia, with a statements of the steps taken by the undersigned attorney, Betsy Kingsbury, as a bona fide attempt and effort to contact the nonsigning inventor Joseph Fusion, and also a statement that the signing inventors are signing on there behalf and on the behalf of the nonsigning inventor Joseph Fusion.

DISCUSSION

A petition under 37 CFR 1.47(a) must be accompanied by (1) the fee under 37 CFR 1.17(h), (2) factual proof that the missing joint inventor refuses to execute the application or cannot be reached after diligent effort, (3) a statement of the last known address of the missing inventor, and (4) an oath or declaration by each 37 CFR 1.47(a) applicant on his or her own behalf and on behalf of the non-signing joint inventor.

The renewed petition of 16 July 2007 has satisfied the requirements under 37 CFR 1.47(a).

Item (2) has been satisfied. The renewed petition is accompanied by a statement of Betsy Kingsbury, who states that a LexisNexis searched was made and it indicated Mr. Fusion last address and the a copy of the application papers were mailed to him.

Item (4) has satisfied because a statement that the signing inventors are signing on there behalf and on the behalf of the nonsigning inventor

Petitioner has now satisfied items (1), (2), (3), and (4) under 37 CFR 1.47(a), thus completing the requirements under 37 CFR 1.47(a).

CONCLUSION

The petition under 37 CFR 1.47(a) is **GRANTED**.

The Application Division and the International Division are authorized to accept the application as a 37 CFR 1.47(a) application and to mail a filing receipt. The application will be given a 35 U.S.C. 371(c)(1), (c)(2), and (c)(4) date of **17 August 2006**.

As provided in 37 CFR 1.47(a), a notice of the filing of this application will be forwarded to the non-signing inventor at his last known address of record.

A notice of the filing of the application under 37 CFR 1.47(a) will be published in the Official Gazette.

This application is being returned to the United States Designated/Elected Office (DO/EO/US) for continued processing under 35 U.S.C. 371.



Rafael Bacares

PCT Legal Examiner

PCT Legal Office

Telephone: (571) 272-3276

Facsimile: (571) 273-0459